



**NEWBERRY COUNTY COUNCIL
AGENDA
March 17, 2021
6:00 P.M.**

ATTENTION: COVID-19 PROTOCOLS ENFORCED

Please enter the Courthouse Annex Building (1309 College Street, Newberry) from the entrance nearest to the intersection of Harrington and Caldwell Streets. All other doorways are for exit purposes only.

In accordance with an Order from the Chief Justice of the South Carolina Supreme Court, a staff member will take your temperature as a condition of entry into the building. To gain admittance, your temperature must be lower than 100.4 degrees F (38 degrees C), and you must wear a mask/face covering.

Seating inside the council chambers is distanced with installed barriers, limiting attendance by the public at any given time to 18 persons, excluding council members, staff, and the media.

**Call to order:
Invocation and Pledge of Allegiance:**

**Henry H. Livingston, III, Chairman
Johnny Mack Scurry, Councilman**

- 1. Additions, Deletions & Adoption of the Agenda**

- 2. Ordinance #11-24-20:** An Ordinance acting on a request to amend the Official Zoning Map established pursuant to Zoning Ordinance No. 06-11-16, codified in Chapter 153 of the Newberry County Code of Ordinances, so as to rezone one real estate parcel totaling Fifty-Two and Nine Tenths (52.9) acres designated as TMS Parcel No. 631-12 (Tract A) from Single Family Residential (RS) and Rural (R2) to Single Family Residential (RSM).
 - a. Third Reading**

- 3. Ordinance #02-03-21** – An Ordinance authorizing (1) the execution and delivery of a first amendment to an existing fee in lieu of tax and incentive agreement (The “Fee Agreement”) by and among Newberry County, South Carolina (The “County”) , and companies collectively identified for the time being as Project Sam II, to provide for (A) the Extension of the applicable investment period set forth in the Fee Agreement and (B) certain additional special source

revenue credits, both in connection with additional investment in certain manufacturing and related facilities in the County; and (2) other matter relating thereto.

a. Second Reading

- 4. Ordinance #03-06-21** – An Ordinance authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement by and between Newberry County, South Carolina (The “County”) and Newberry Electric Cooperative, INC., acting for itself, one or more affiliates, and/or other project sponsors (collectively, The “Company”), pursuant to which the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes with respect to the establishment and/or expansion of certain facilities in the county (The ‘Project’); (2) the benefits of a multi-county industrial or business park to be made available to The Company and The Project; (3) certain special source revenue credits in connection with the project; and (4) other matters relating thereto.

a. Second Reading

- 5. Ordinance #03-07-21** - An Ordinance amending Chapter 31 of the Code of Ordinances for Newberry County by adding language permitting Council Member participation in council meetings remotely through virtual/electronic means as a permanent option.

a. Second Reading

- 6. Ordinance #03-08-21** – An Ordinance permitting the Newberry County Joint Planning Commission and the Newberry County Board of Zoning Appeals to conduct virtual/electronic meetings permanently.

a. Second Reading

- 7. Ordinance #03-09-21** – An Ordinance authorizing the execution and delivery of a First Amendment to the Fee in Lieu of Tax Agreement by and among Newberry County, South Carolina and Sea Pro Boats, LLC, to provide for the extension of the investment period thereunder, the issuance of certain special source revenue credits, and other matters related thereto.

a. First Reading

- 8. Ordinance #03-10-21** - An Emergency Ordinance to suspend temporarily the normal operating procedures applicable to the meetings of The Newberry County Joint Planning Commission and The Newberry County Zoning Appeals, to declare a State of Emergency with regard their continued ability to conduct necessary business of the County, to provide for emergency procedures for public meetings of the Joint Planning Commission and The Board of Zoning Appeals during said emergency, and to provide for the continuation of said procedures upon extension of this Ordinance by County Council.

9. Consideration to approve Central SC Alliance FY 20/21 3rd & 4th Quarter invoices totaling \$36,000. (Recommended by the Economic Development Committee 03-01- 21)

10. Appointments

11. Executive Session – Code Section 3-4-70 (a)(2): Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim. This executive session concerns the lawsuit filed by West-Hobby against Newberry County.

12. Public Comments

13. Comments/Requests from the County Administrator

14. Comments/Requests from Council Members

15. Future Meetings

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| a. Finance Committee | 03/29/21 | 6:00 p.m. |
| b. County Council | 04/07/21 | 6:00 p.m. |
| c. Public Safety & Courts | 04/19/21 | 6:00 p.m. |

16. Adjournment